

Notice is hereby given that the Planning and Zoning Commission for the City of Grinnell will conduct a public hearing in the Grinnell City Council Chambers, 520 Fourth Avenue, at 7:00 p.m. on Tuesday, May 12, 2020.

In the event the meeting must be held remotely, or any individual wishes to attend remotely, access to the meeting can be obtained by visiting the following link: <https://zoom.us/j/95565909241>

**AGENDA
PLANNING AND ZONING COMMISSION**

7:00 P.M.

May 12, 2020

Chairperson Randy Reavis presiding:

ROLL CALL: Stewart ____, Bair ____, Adams ____, Adelberg ____, Duke____, McGriff_____.

APPROVAL OF MINUTES FROM January 21, 2020:

APPROVAL OF AGENDA:

COMMUNICATIONS:

OLD BUSINESS:

NEW BUSINESS:

1. Review an application from Ryan C & Carrie A Ferguson requesting 1510 Broad St to be rezoned from R-1: Single-Family Residential to R-2: Two-Family Residential

ADJOURN:

P.S. If you are not able to attend, please call 641-236-2600 to let us know.
A quorum is required to take action on the items before the Commission.

MINUTES OF THE PLANNING AND ZONING COMMISSION

Chairperson Randy Reavis called the meeting of the Planning and Zoning Commission to order at 7:04 p.m. on January 21, 2020.

ROLL CALL: Stewart P, Bair A, Adams A, Adelberg P, Duke A, McGriff P.

Also in Attendance: Tyler Avis

APPROVAL OF MINUTES FROM May 14, 2019: Stewart made a motion to approve the minutes. McGriff seconded the motion. Motion passed unanimously.

APPROVAL OF AGENDA: Chairperson Reavis recommended moving forward with item #2 on the agenda, unanimous consent was given to skip item #1.

COMMUNICATIONS: Mr. Avis explained that there had been 6 phone calls received from adjoining property owners requesting the Commission recommend disapproval of the request.

OLD BUSINESS: None

NEW BUSINESS:

1. Review an application from Jim & Darlis Hawkins of 2006 Jewel Drive to request the Commission to make a recommendation to the Board of Adjustment to approve the construction of a telecommunication tower at 2006 Jewel Drive. The telecommunication tower is intended to be utilized for private use and not general broadcasting.

Chairperson Reavis requested staff for an explanation of the proposal. Mr. Avis read the memo as it was written.

Chairperson Reavis requested an explanation as for the requirements of the meeting. Mr. Avis explained that all telecommunication towers must be issued a special-use permit before being granted a building permit to be constructed. The special-use permit process requires the Commission to make a recommendation to the Board of Adjustment on approval, of which the Board has the final decision.

Ms. Adelberg discussed how she was having issues trying to picture where it would be placed on the property. A map was brought to the screen and then it was explained where the proposed tower would be placed, which was on the East side of the lot. Ms. Adelberg also said she was concerned with the rated wind speed of the proposed pole and Mr. Avis explained that the pole would need to meet local building codes if the special-use permit is granted.

Chairperson Reavis asked if there was anyone willing to speak for or against the proposal.

Karen Schmidt of 1949, and speaking on behalf of the homeowners association, stated that she and the association are opposed to the tower being constructed.

Mr. Stewart requested confirmation that such a structure does require approval from the association and is written in the covenants.

Dave VanderLinden, the developer of the subdivision, stated that the association applies to the lots within the center of the subdivision. He stated that he discussed with representatives of 20 of the 28 surrounding lots, and they all expressed they were opposed to the request.

Jim Hawkins stated that he believed the peak of the tower would not be taller than the house, and only two properties would relatively be able to see the tower, being those directly adjoining the property.

James (K), the potential purchaser of the property, explained his interest in the tower, being that he is a HAM radio operator and it is a loved hobby of his. He continued to explain that the tower is more like a pole, similar to a flag pole than a tower itself, and really should be considered an antenna with a diameter of only 1 1/2 inches.

Ms. McGriff was curious to know if there were other options that could work vs having to install a 25+ foot tall antenna, particularly if something could be mounted to the roof of the home.

James (K), stated that could be an alternative, but that the ability to receive radio reception would be diminished.

Chairperson Reavis was curious to know if the antenna was closer to the house vs out in the yard near the end of the lot was a possibility.

James K, stated that would be something he would entertain. He was curious to know if this property was not subject to the HOA covenants since it is on the perimeter of the development.

Dave VanderLinden confirmed that it is not.

Paul Koplin of 1960 Jewel Dr stated he had concerns about if this antenna could affect wireless capabilities since nothing concrete has been found to firmly state it wouldn't.

James K. stated that this antenna would only transmit about 100 watts of signal, and at that low of a rating, it would be very unlikely that any reception would be affected by it.

Matt Miller of 1968 Jewel Dr stated that he is opposed to the tower as he is a musical instrument enthusiast, and that he is concerned that the frequencies used could affect his equipment.

Ms. Adelberg made a motion for the Planning and Zoning Commission to make a recommendation to disprove the special-use permit to the Board of Adjustment for a telecommunications tower at 2006 Jewel Dr. Stewart seconded the motion.

The roll call votes were as follows,

Reavis Yes. Adelberg Yes. Stewart Yes. McGriff Yes. Motion passed unanimously.

2. Election of Officers– Chair, Vice Chair, and Secretary to be decided at first meeting of the year.

Election of Chairperson: Mr. Stewart nominated Mr. Reavis. Ms. Adelberg seconded the motion, Motion passed unanimously.

Election of Vice-Chairperson: Mr. Reavis nominated Mr. Stewart. Ms. McGriff seconded the motion. Motion passed unanimously.

INQUIRIES: None

ADJOURN: Reavis moved that the meeting be adjourned. Stewart seconded the motion. Motion passed unanimously. Meeting was adjourned at 7:38 p.m.

ATTEST: 

RANDY REAVIS, CHAIRPERSON

SECRETARY

MEMORANDUM TO THE PLANNING AND ZONING COMMISSION

May 12, 2020

7:00 p.m.

Approval of January 21, 2020 Meeting Minutes

OLD BUSINESS:

None

NEW BUSINESS:

1. Review an application from Ryan C & Carrie A Ferguson requesting 1510 Broad St to be rezoned from R-1: Single-Family Residential to R-2: Two-Family Residential. Their intent is to construct a detached garage with living space above that could be used to rent out at a later date.

Findings of Staff

1510 Broad St is a fully developed residential lot currently zoned as R-1: Single-Family Residential that includes one single-family home with an attached garage located on the property. During the week of April 20, 2020 I was contacted by the owner about a potential project where they would add a detached garage with living space on the second floor. It was brought up about the possibility of renting this space out to those that may not be related to the owners, which is when I identified that the property is currently only zoned for a single-family use, and would require rezoning for that to be permitted.

I then found that directly to the south of this property and across 10th Avenue, is where the R-2 Two-Family zoning district begins, so it is possible that the property could be rezoned and would not become an example of spot-zoning, which Grinnell's Code of Ordinances prohibits. The owner decided to move forward with the rezoning request, even though it would not be intended to be used as a rental for some time.

You are further notified that the time and place of the public hearing will be Tuesday May 12, 2020 at 7:00 p.m. in the City Council Chambers, located on the 2nd floor of City Hall, 520 Fourth Avenue, Grinnell, Iowa at which time any interested party will be heard concerning this matter, and the Commission shall make a decision to make a recommendation to City Council on the approval or disapproval of this rezoning request.

In the event the meeting must be held remotely, or any individual wishes to attend remotely, access to the meeting can be obtained by visiting the following link:
<https://zoom.us/j/95565909241>

Respectfully submitted

Tyler Avis
Director of Building and Planning



PETITION FOR REZONING

To the Honorable Mayor, City Council, and City Planning & Zoning Commission:

Ladies and Gentlemen:

Date: 4-23-20

We, the undersigned, owners of 50% or more of the property described in paragraph 2 below, do hereby respectfully petition to amend the present zoning ordinance as hereinafter designated, and in support thereof, the following facts are presented:

1. The undersigned owns property within the area, which is requested to be rezoned.

Owner: Ryan C + Carrie A Ferguson

By: _____ Date: _____

Title: _____

2. That the area to be rezoned is contained in the following legal description:

MERRILLS 3RD LOTS 1 2 & 3 BLOCK 1

3. That it is required and desired that the foregoing property to be rezoned from the

R1 Districts to the R2 District.

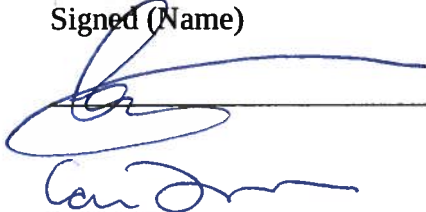
4. That the reasons for requesting the change are as follows:

Building a garage with a mother-in-law
apartment above that could be rented out at
a later date.

5. That the undersigned, who own property within a 200' radius of the requested property to be rezoned, are acquainted with the uses to which the area to be rezoned may be put if the rezoning takes place.

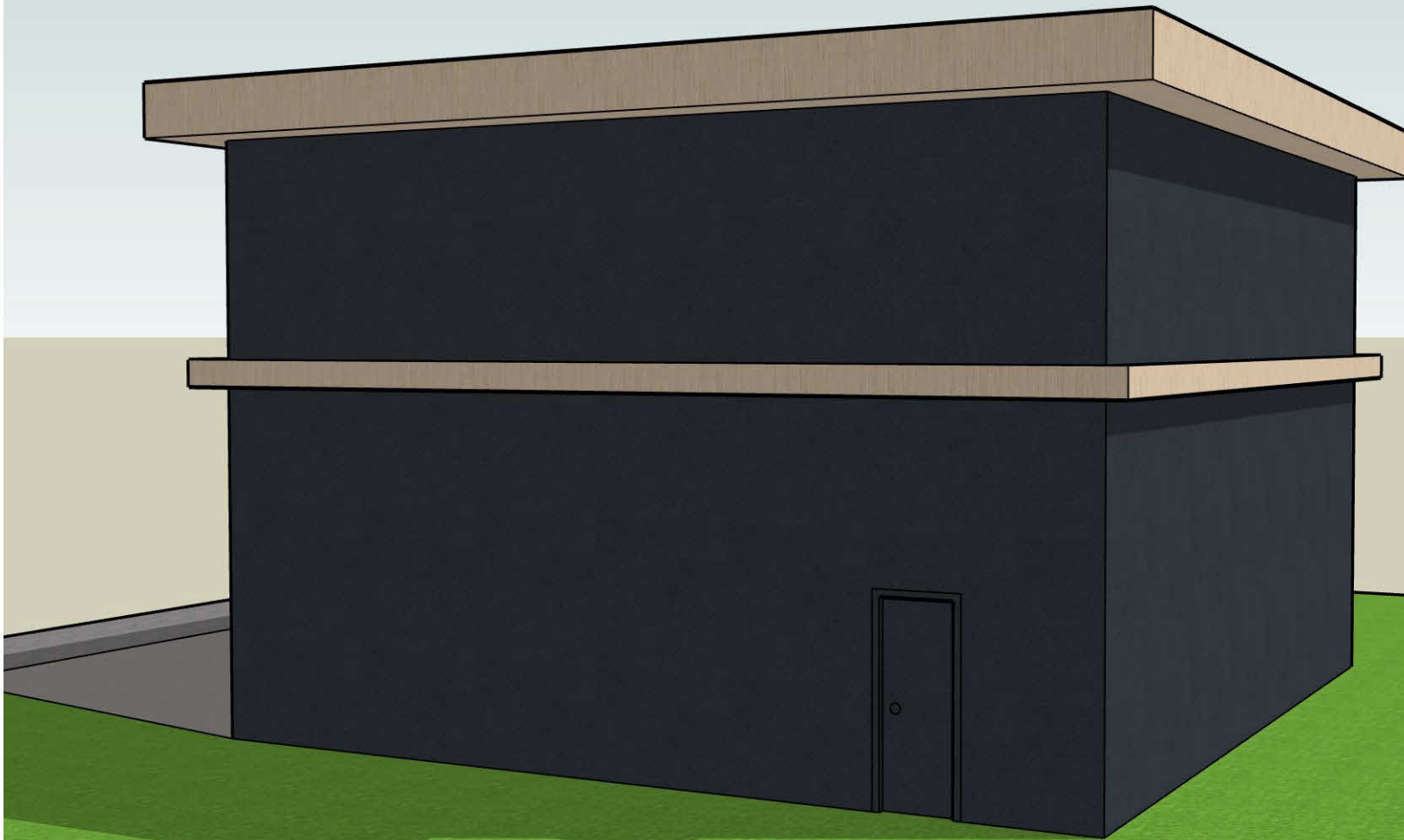
Respectfully,
Signed (Name)

(Address)



1510 Broad St.





Parcel Lines may be up to 6' off





April 28, 2020

CITY OF GRINNELL
520 Fourth Avenue
Grinnell, Iowa
50112-1947
Phone: 641-236-2600
Fax: 641-236-2626

MAYOR

DAN F.
AGNEW
dagnew@grinnelliowa.gov

CITY COUNCIL

BYRON HUEFTLE-WORLEY
At-Large

JIM WHITE
At-Large

JULIE DAVIS
1st Ward

JO WRAY
2nd Ward

RACHEL BLY
3rd Ward

LAMOYNE GAARD
4th Ward

ADMINISTRATION

RUSSELL L.
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City Manager
RBehrens@
grinnelliowa.gov

ANNMARIE WINGERTER
City Clerk/Finance Director
AWingarter@
grinnelliowa.gov

WILLIAM J.
SUEPPEL
City Attorney
billjs@meardonlaw.com

Visit us at
www.grinnelliowa.gov

Re: Planning and Zoning Commission Meeting

I want to let you know that a Planning and Zoning Commission meeting has been set for Tuesday, May 12, 2020 at 7:00 p.m. in the Council Chambers at 520 4th Avenue.

The Commission has been requested to review an application from Ryan C & Carrie A Ferguson requesting 1510 Broad St to be rezoned from R-1: Single-Family Residential to R-2: Two-Family Residential.

Please let me know as soon as possible if you will not be able to attend this meeting since we want to be sure to have a quorum.

The meeting can be accessed remotely by going to the following link:
<https://zoom.us/j/95565909241>

Sincerely,

Tyler Avis
Director of Building and Planning



April 28, 2020

CITY OF GRINNELL
520 Fourth Avenue
Grinnell, Iowa
50112-2043
Phone: 641-236-2600
Fax: 641-236-2626

MAYOR

Dan Agnew
DAgnew@grinnelliowa.gov

CITY COUNCIL

BYRON HUEFTLE-WORLEY
At—Large

JIM WHITE
At—Large

JULIE HANSEN
1st Ward

JO WRAY
2nd Ward

RACHEL BLY
3rd Ward

SONDRA BURNELL
4th Ward

ADMINISTRATION

RUSSELL L.
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grinnelliowa.gov

WILLIAM J.
SUEPPEL
City Attorney
billjs@meardonlaw.com

P. KAY
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City Clerk
Kcmelik@grinnelliowa.gov

Visit us at
www.grinnelliowa.gov

Dear Property Owner:

An application has been received from Ryan C & Carrie A Ferguson requesting 1510 Broad St to be rezoned from R-1: Single-Family Residential to R-2: Two-Family Residential. Their intent is to construct a detached garage with living space above that could be used to rent out at a later date.

LEGAL DESCRIPTION

MERRILLS 3RD ADDITION LOTS 1, 2, & 3 BLOCK I

You are receiving this letter because you are within 200 feet of the subject site.

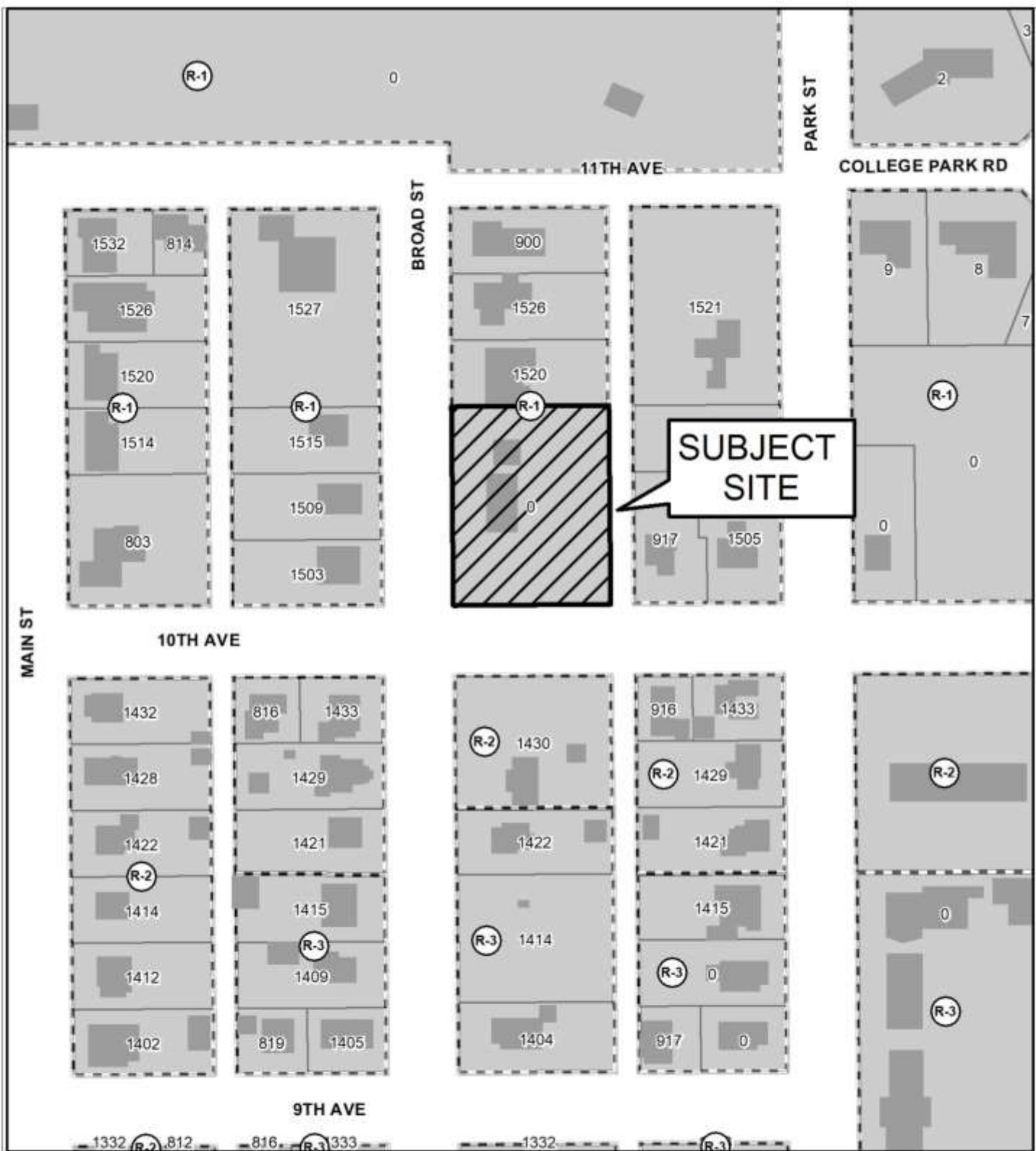
The meeting regarding this application will be discussed at the Planning and Zoning Commission meeting at 7:00 p.m., on Tuesday, May 12, 2020. This meeting will be located in the City Council Chambers, located on the second floor of City Hall at 520 4th Avenue. You may submit your views on this application in person, by letter, or by a representative at the meeting.

In the event the meeting must be held remotely, or any individual wishes to attend remotely, access to the meeting can be obtained by visiting the following link: <https://zoom.us/j/95565909241>

The Planning and Zoning Commission will give their recommendation to City Council.

Sincerely,

Tyler Avis
Planning and Zoning Commission Secretary
Director of Building and Planning



Ferguson Rezoning Request

□ Parcels

■ City of Grinnell Zoning

■ Building Footprint



Parcel Data Source: Poweshiek County Assessor
Created By: The City of Grinnell - Building & Planning Department: TA

Date: 04/28/2020

0 65 130 260 Feet

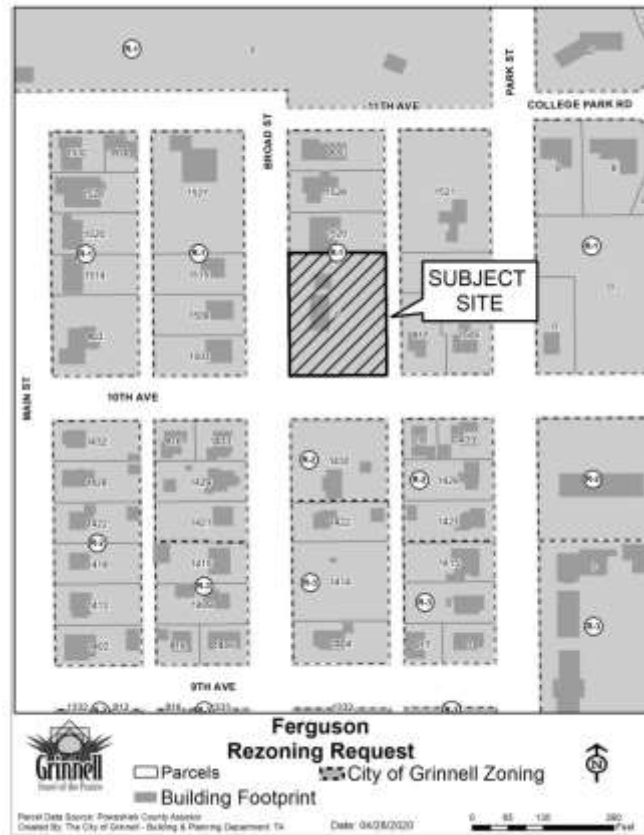
PLANNING AND ZONING COMMISSION NOTICE OF PUBLIC HEARING

Notice is hereby given that a request has been received from Ryan C & Carrie A Ferguson requesting 1510 Broad St to be rezoned from R-1: Single-Family Residential to R-2: Two-Family Residential. Their intent is to construct a detached garage with living space above that could be used to rent out at a later date.

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Tyler Avis
Building and Planning Director

Legal Notice
Publish: 5-30-2020



PUBLIC NOTICE

The Planning and Zoning Commission of the City of Grinnell will meet for a meeting on May 12, 2020 at 7:00 p.m. in the Council Chambers of the City Hall at 520 Fourth Avenue Grinnell, Iowa. The agenda will include the review of an Application from Ryan C & Carrie A Ferguson requesting 1510 Broad St to be rezoned from R-1: Single-Family Residential to R-2: Two-Family Residential. Their intent is to construct a detached garage with living space above that could be used to rent out at a later date. In the event the meeting must be held remotely, or any individual wishes to attend remotely, access to the meeting can be obtained by visiting the following link: <https://zoom.us/j/95565909241>